



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

| COUNCIL MEMBERS | REDEVELOPMENT AGENCY |
|-------------------------------|-----------------------------|
| Dennis Kennedy, Mayor | Dennis Kennedy, Chair |
| Hedy Chang, Mayor Pro Tempore | Hedy L. Chang, Vice-Chair |
| Larry Carr, Council Member | Larry Carr, Agency Member |
| Greg Sellers, Council Member | Greg Sellers, Agency Member |
| Steve Tate, Council Member | Steve Tate, Agency Member |

WEDNESDAY, DECEMBER 10, 2003

AGENDA

JOINT MEETING

CITY COUNCIL SPECIAL MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

6:00 P.M.

A Special Meeting of the City Council and Redevelopment Agency is called at 6:00 P.M. for the Purpose of Conducting Closed Sessions and City Business.

Dennis Kennedy, Mayor/Chairman

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(Deputy City Clerk Malone)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Deputy City Clerk Malone)

6:00 P.M.

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

| | |
|----------------------------|---|
| Authority: | Government Code Sections 54956.9(b) & (c) |
| Number of Potential Cases: | 1 |

2.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

| | |
|---|-----------------------------|
| Authority | Government Code 54957 |
| Public Employee Performance Evaluation: | City Attorney |
| Attendees: | City Council, City Attorney |

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**
(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council Action

CONSENT CALENDAR:

ITEMS 1-5

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **PARKS AND RECREATION COMMISSION REQUEST FOR AN ANNUAL JOINT MEETING WITH THE CITY COUNCIL**..... 1
Recommended Action(s): Direct City Clerk Staff to Schedule a Joint Workshop of the City Council and the Parks and Recreation Commission.
2. **ASSEMBLY BILL 1600 DEVELOPMENT IMPACT FEE REPORT FOR FISCAL YEAR 2002-2003**..... 3
Recommended Action(s): Accept and File the AB 1600 Development Impact Fee Report for the 2002-2003 Fiscal Year.
3. **APPROVE TIFFIN METAL PRODUCTS AS SOLE SOURCE VENDOR FOR EVIDENCE AND GUN LOCKERS FOR THE NEW POLICE FACILITY**..... 15
Recommended Action(s): Authorize the City Manager to Approve a Purchase Order in the Amount of \$26,997.55 to Tiffin Metal Products Company for the Furniture, Fixtures and Equipment (FF&E) at the New Police Facility.
4. **APPROVAL OF UPDATED JOINT POWERS AGREEMENT WITH THE BAY AREA EMPLOYEE RELATIONS SERVICE (BAERS)**..... 17
Recommended Action(s): Authorize the City Manager to Execute the Agreement.
5. **RESOLUTION ADOPTING AMENDMENT TO DEFERRED COMPENSATION PLAN WITH HARTFORD LIFE INSURANCE COMPANY**..... 33
Recommended Action(s): Adopt the Resolution Amending the Deferred Compensation Plan with Hartford Life Insurance Company.

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 6-7

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

6. **SALE/ACQUISITION OF CITY OWNED LAND TO THE REDEVELOPMENT AGENCY FOR THE FUTURE LIBRARY** 39
Recommended Action(s):
1. **Authorize** the Executive Director and City Manager to do Everything Necessary and Appropriate to Execute and Implement all Related Documents for the Sale/Purchase of the Library Site for \$1,700,000; and
 2. **Authorize** the City Manager/Executive Director to do Everything Necessary and Appropriate to Convey or Accept the Full Interest in the Subject Property.
7. **APPROVE MINUTES OF JOINT SPECIAL AND REGULAR CITY COUNCIL, SPECIAL REDEVELOPMENT AGENCY, AND MORGAN HILL FINANCING AUTHORITY COMMISSION MEETING OF NOVEMBER 19, 2003** 41

Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 8

Time Estimate

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Consent Calendar: 1 - 10 Minutes

8. **WALNUT GROVE PLANNED UNIT DEVELOPMENT (PUD)** 87
Recommended Action(s):
1. **Authorize** The Executive Director To Execute A Contract With ROEL Automotive Advisory Group For The Development Of PUD Guidelines, In An Amount Not To Exceed \$65,790 And Optional Supplemental In Services Not To Exceed \$9,505 For A Total Of \$75,295; and
 2. **Authorize** The Executive Director To Execute A Contract With MIG For Public Meeting Facilitation In An Amount Not To Exceed \$10,300.

City Council Action

OTHER BUSINESS:

| | Time Estimate | | Page |
|-----|----------------------|--|-------------|
| 9. | 90 Minutes | <u>WATER RATES WORKSHOP</u> | 97 |
| | | <u>Recommended Action(s):</u> | |
| | | 1. <u>Conduct</u> a Workshop on Water Rates; and | |
| | | 2. <u>Provide</u> Direction to staff. | |
| 10. | 5 Minutes | <u>SELECTION OF CITY COUNCIL MAYOR PRO TEMPORE AND REDEVELOPMENT AGENCY VICE-CHAIR</u> | 147 |
| | | <u>Recommended Action(s):</u> | |
| | | <u>City Council:</u> | |
| | | 1. <u>Open Floor</u> to Nomination(s) for Mayor Pro Tempore; and | |
| | | 2. <u>Select</u> Council Member to Serve as Mayor Pro Tempore per City Council Policy. | |
| | | <u>Redevelopment Agency:</u> | |
| | | 1. <u>Open Floor</u> to Nomination(s) for Vice-Chair; and | |
| | | 2. <u>Select</u> Agency Member to Serve as Vice-Chair per Redevelopment Agency Bylaws. | |
| 11. | 10 Minutes | <u>REVIEW OF CITY COUNCIL COMMITTEES AND APPOINTMENTS TO OUTSIDE AGENCIES</u> | 151 |
| | | <u>Recommended Action(s):</u> | |
| | | 1. <u>Review</u> the current list of assignments and appointments and make suggested changes to the Mayor; | |
| | | 2. <u>Mayor to Appoint</u> Council Members to Serve on the Various Council Committees and Outside Agencies Subject to City Council Approval; and | |
| | | 3. <u>Direct</u> the City Clerk to notify the appropriate agencies of amended assignments. | |

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT